

AMENDED IN ASSEMBLY APRIL 29, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1253**

**Introduced by Assembly Member Bermudez**

February 21, 2003

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An act to add ~~Section 788.1 to the Public Utilities~~ and repeal Section 20901.2 of the Government Code, relating to public ~~utilities~~ employees' retirement.

LEGISLATIVE COUNSEL'S DIGEST

AB 1253, as amended, Bermudez. Public—~~utilities~~: telecommunications wiring employees' retirement: CSU employees.

*The Public Employees' Retirement Law authorizes the Governor, in certain circumstances, to issue an executive order granting specified state employees an additional 2 years of service credit, for purposes of calculating retirement benefits, if those employees retire within the period designated in the executive order and if other conditions are met. Upon retirement, those employees receive service credit for unused sick leave, as specified.*

*This bill would grant specified employees of the California State University credit for an additional 2 years of service and for unused vacation or annual leave, as specified, if those employees retired within a period, to be designated by the Director of Finance, during the 2003-04 fiscal year and if other conditions are met.*

~~Existing law authorizes the Public Utilities Commission to supervise and regulate every public utility, including telephone corporations, in the state and to do all things necessary and convenient in the exercise of its power and jurisdiction. Existing law requires telephone~~

~~corporations to annually provide residential subscribers with prescribed information on their responsibilities and those of the telephone corporation concerning inside wiring.~~

~~This bill would declare the intent of the Legislature to establish policies, in subsequent legislation, concerning the creation and use of telecommunications wiring in commercial and residential settings.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     ~~SECTION 1. Section 788.1 is added to the Public Utilities~~  
2     ~~SECTION 1. Section 20901.2 is added to the Government~~  
3     ~~Code, to read:~~  
4     ~~20901.2. (a) Notwithstanding any other provisions of this~~  
5     ~~part, an additional two years of service shall be credited to state~~  
6     ~~miscellaneous members employed by the California State~~  
7     ~~University, if the following conditions exist:~~  
8     ~~(1) The member meets the service requirements of Section~~  
9     ~~21060 or 21074.~~  
10    ~~(2) The member retires for service during the period designated~~  
11    ~~by the Director of Finance, which period shall commence on a date~~  
12    ~~after the effective date of this section and shall expire on a date~~  
13    ~~prior to July 1, 2004. The Director of Finance shall make that~~  
14    ~~designation within 15 days after the effective date of this section.~~  
15    ~~(b) In addition to the additional service credited pursuant to~~  
16    ~~subdivision (a) and notwithstanding any other provision of law, a~~  
17    ~~member who retires pursuant to this section shall be credited at his~~  
18    ~~or her retirement with 0.004 year of service credit for each unused~~  
19    ~~day of vacation or annual leave certified to the board by the~~  
20    ~~Trustees of the California State University. The certification shall~~  
21    ~~report only those days of unused vacation or annual leave that~~  
22    ~~were accrued by the member during the normal course of his or her~~  
23    ~~employment. Reports of unused days of vacation or annual leave~~  
24    ~~are subject to audit and retirement benefits may be adjusted if~~  
25    ~~improper reporting is found. Until receipt of the certification from~~  
26    ~~the trustees, the board may pay an estimated allowance pursuant~~  
27    ~~to this section. At the time the certification is received, the~~  
28    ~~member's retirement allowance shall be adjusted to reflect any~~  
29    ~~necessary changes.~~

1 (c) In addition to any and all other contributions to the  
2 retirement fund, the Trustees of the California State University  
3 shall transmit to the retirement fund an amount determined by the  
4 board that is equal to the actuarial equivalent of the difference  
5 between the allowance a member described in subdivision (a)  
6 receives after the receipt of service credit under this section and the  
7 amount the member would have received without that service  
8 credit. The transfer to the retirement fund shall be made in a  
9 manner and time period acceptable to the trustees and the board.  
10 The trustees shall make the payment with respect to all eligible  
11 employees who retire pursuant to this section.

12 (d) The amount of service credit acquired under this section  
13 may not exceed the number of years intervening between the date  
14 of the member's retirement and the date the member would be  
15 required to be retired because of age.

16 (e) Any member who qualifies under this section, upon  
17 subsequent reentry to this system shall forfeit the service credit  
18 acquired under this section.

19 (f) This section is not applicable to any member otherwise  
20 eligible if the member receives any unemployment insurance  
21 payments arising out of employment with an employer subject to  
22 this part during a period extending one year beyond the date of  
23 issuance of the executive order or if the member is not eligible to  
24 retire without the additional credit available under this section.

25 (g) The Trustees of the California State University, in order to  
26 achieve economies following the retirement of miscellaneous  
27 members pursuant to this section, may eliminate positions within  
28 the California State University, as determined by the trustees. The  
29 positions eliminated need not include the specific positions  
30 vacated by the members upon their retirement under this section.

31 (h) This section shall become inoperative on July 1, 2004, and,  
32 as of January 1, 2005, is repealed, unless a later enacted statute  
33 that is enacted before January 1, 2005, deletes or extends the dates  
34 on which it becomes inoperative and is repealed.

35 ~~Code, to read:~~

36 ~~788.1. It is the intent of the Legislature, in subsequent~~  
37 ~~legislation, to establish policies concerning the creation and use of~~

1 telecommunications wiring in commercial and residential  
2 settings.

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